

## **REMARKS**

### **In the Claims**

#### **Improper Use of Non-Related Prior Art**

The Examiner presently rejects independent claims 1 and 19 under 35 USC 102 as being anticipated by *Watabe*, which, by implication under 35 USC 102, is said to teach each and every element of the invention as taught by the Applicant in claims 1 and 19. *Kouketsu* and *Oda* are also cited by the Examiner as a basis for the rejection of various claims. However, *Watabe*, *Oda* and *Kouketsu* teach monitoring a vacuum in a silicon wafer processing system, *not* a fetal delivery system. The separation of these fields of art is axiomatic. This is significant for several reasons, and, for the reasons below, the Examiner should withdraw any rejections to the invention based on *Watabe*, *Oda* and *Kouketsu*.

First, vacuums applied to silicon wafer processing are significant enough to prevent sub-atomic contamination of a silicon wafer. Vacuums of this strength, if applied to a fetus (or a doctor during delivery), would almost instantly kill the fetus (or doctor). Second, vacuums used for silicon wafer processing are performed in stages, including a "high vacuum." The monitoring of the pressures in the silicon wafer processing equipment pressure enables the implementation of the proper vacuum for each of these stages to properly implement chemical vapor deposition, plasma vapor deposition, and ion bombardment on wafers that are properly either positively or negatively masked with photoresist, or with various stages of silicon wafer manufacturing. Accordingly, these monitors detect the internal pressure inside a machine, rather than a pressure proximate to a fetus.

In addition, the use of the pressure detection in these machines allows another machine to implement different vacuums to achieve different pressures for chemical vapor deposition, plasma vapor deposition, and ion bombardment on wafers that are properly either positively or negatively masked with photoresist, rather than to allow a doctor to proceed with a fetal delivery. Thus, the use of vacuums in the field of semiconductor wafer processing is very different that the use of vacuums in the very different field of fetal delivery. No matter how hard one searches,

he will never find a single vacuum pump used for both silicon wafer processing and for fetal delivery. The pressures are different, the pumps are different, the vacuums are applied differently, and the uses of the vacuum pressures are different. No matter how hard one searches, he will never find a device adapted to attach to a fetus used in conjunction with a silicon wafer processing machine (the combination would either kill the fetus, or produce insufficient pressures for silicon wafer processing). No matter how hard one searches, he will never find a wafer processing machine in a delivery or labor room. Accordingly, the Examiner is requested to withdraw *Watabe, Oda* and *Kouketsu* as prior art in the present case.


In addition, for the foregoing reasons, no combination of a fetal deliver system should be made with a silicon wafer processing device. No matter how hard one looks, no such combination exists in the prior art, ever. No matter how hard one looks, no one will find such a combination used in practice, anywhere. No fetal delivery has ever been made in a silicon wafer device or in a silicon wafer clean room, and no silicon wafer processing has ever been done proximate to a fetal delivery area. Nevertheless, the Applicant amends claims 1, 7 and 19 to expressly state that the invention does not apply to silicon wafer processing (see above). Accordingly, the Examiner is respectfully requested to withdraw any rejections based on *Watabe, Oda* and *Kouketsu*, alone or in combination with other alleged prior art.

The Examiner also rejects Claim 7 under 35 USC 102, and other claims under 35 USC 103, under *Dimitriu, et al. (Dimitriu)*. It is noted that *Dimitriu* was not cited in the previous Office Action. However, *Dimitriu* does not teach, show or suggest detecting a vacuum pressure as claimed by the applicant in claim 7, which also recites the act of recording a vacuum pressure. Since *Dimitriu* does not address detecting or recording a vacuum pressure, withdrawal of the rejections to claims based on *Dimitriu* is respectfully requested.

It is now believed that claims 1, 7 and 19, and those that depend therefrom, are now in condition for allowance. In addition, since independent claims 1, 7 and 19 are now in condition for allowance it is noted that each dependent claim is also in condition for allowance, and thus

allowance of each dependent claim is also requested. Thus, it is believed that pending Claims 1-15, and 19-21 are allowable. The Examiner is encouraged to contact the under signed attorney to resolve these matters by Examiners Amendment where possible.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steven W. Thrasher", written in a cursive style.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please amend claims 1, 7, and 19 as indicated.

1. (Twice Amended) A method of using a recording device that records a pressure in a vacuum device, the vacuum device enabled to couple to a fetus, comprising:

detecting a pressure in the vacuum device, the vacuum device enabled to couple to a fetus;

recording the pressure in the vacuum device; and

storing a record of the pressure.

7. (Twice Amended) A method of using a recording device to record a pressure in a vacuum device, the vacuum device enabled to couple to a fetus, comprising:

placing the vacuum device on a fetus, the space between the fetus and the vacuum device having a pressure;

initiating a vacuum pressure in the suction device;

detecting the vacuum pressure in the suction device; and

automatically recording the vacuum pressure in the suction device.

19. (Twice Amended) A method of using a recording device to record a pressure in a vacuum device, the vacuum device enabled to couple to a fetus, comprising:

coupling the recording device to the vacuum device, the vacuum device enabled to couple to a fetus; and

recording the pressure so that a record may be produced therefrom.